

106TH CONGRESS
1ST SESSION

H. R. 2945

To amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services under part B of the Medicare Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 1999

Mr. DEAL of Georgia (for himself and Mr. STRICKLAND) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services under part B of the Medicare Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Seniors Mental Health
5 Access Improvement Act of 1999”.

1 **SEC. 2. COVERAGE OF MARRIAGE AND FAMILY THERAPIST**
 2 **SERVICES UNDER PART B.**

3 (a) COVERAGE OF SERVICES.—Section 1861(s)(2) of
 4 the Social Security Act (42 U.S.C. 1395x(s)(2)) is
 5 amended—

6 (1) in subparagraph (S), by striking “and” at
 7 the end;

8 (2) in subparagraph (T), by striking the period
 9 at the end and inserting “; and”; and

10 (3) by adding at the end the following new sub-
 11 paragraph:

12 “(U) marriage and family therapist serv-
 13 ices (as defined in subsection (uu)(1));”.

14 (b) DEFINITION.—Section 1861 of such Act (42
 15 U.S.C. 1395x) is amended by adding at the end thereof
 16 the following new subsection:

17 “Marriage and Family Therapist Services

18 “(uu)(1) The term ‘marriage and family therapist
 19 services’ means services performed by a marriage and
 20 family therapist (as defined in paragraph (2)) for the diag-
 21 nosis and treatment of mental illnesses, which the mar-
 22 riage and family therapist is legally authorized to perform
 23 under State law (or the State regulatory mechanism pro-
 24 vided by State law) of the State in which such services
 25 are performed, as would otherwise be covered if furnished
 26 by a physician or as an incident to a physician’s profes-

1 sional service, but only if no facility or other provider
2 charges or is paid any amounts with respect to the fur-
3 nishing of such services.

4 “(2) The term ‘marriage and family therapist’ means
5 an individual who—

6 “(A) possesses a master’s or doctoral degree
7 which qualifies for licensure or certification as a
8 marriage and family therapist pursuant to State
9 law;

10 “(B) after obtaining such degree has performed
11 at least two years of clinical supervised experience in
12 marriage and family therapy; and

13 “(C)(i) is licensed or certified as a marriage
14 and family therapist in the State in which marriage
15 and family therapist services are performed, or

16 “(ii) in the case of a State that does not pro-
17 vide for such licensure or certification, meets such
18 other criteria as the Secretary establishes.”.

19 (c) PROVISION FOR PAYMENT UNDER PART B.—Sec-
20 tion 1832(a)(2)(B) of such Act (42 U.S.C.
21 1395k(a)(2)(B)) is amended by adding at the end the fol-
22 lowing new clause:

23 “(v) marriage and family therapist
24 services;”.

1 (d) AMOUNT OF PAYMENT.—Section 1833(a)(1) of
 2 such Act (42 U.S.C. 13951(a)(1)) is amended—

3 (1) by striking “and (S)” and inserting “(S)”;

4 and

5 (2) by inserting before the semicolon at the end
 6 the following: “, and (T) with respect to marriage
 7 and family therapist services under section
 8 1861(s)(2)(U), the amounts paid shall be 80 percent
 9 of the lesser of the actual charge for the services or
 10 75 percent of the amount determined for payment of
 11 a psychologist under clause (L)”.

12 (e) EXCLUSION OF MARRIAGE AND FAMILY THERA-
 13 PIST SERVICES FROM SKILLED NURSING FACILITY PRO-
 14 SPECTIVE PAYMENT SYSTEM.—Section 1888(e)(2)(A)(ii)
 15 of such Act (42 U.S.C. 1395yy(e)(2)(A)(ii)) is amended
 16 by striking “qualified psychologist services” and inserting
 17 “qualified psychologist services, marriage and family ther-
 18 apist services (as defined in section 1861(uu)(1))”.

19 **SEC. 3. COVERAGE OF MARRIAGE AND FAMILY THERAPIST**
 20 **SERVICES PROVIDED IN CERTAIN SETTINGS.**

21 (a) RURAL HEALTH CLINICS.—Section
 22 1861(aa)(1)(B) of the Social Security Act (42 U.S.C.
 23 1395x(aa)(1)(B)) is amended by striking “Secretary,”
 24 and inserting “Secretary) or marriage and family thera-
 25 pist (as defined in subsection (uu)(2)),”.

1 (b) HOSPICE PROGRAMS.—Section
2 1861(dd)(2)(B)(i)(III) of such Act (42 U.S.C.
3 1395x(dd)(2)(B)(i)(III)) is amended by striking “work-
4 er,” and inserting “worker or marriage and family thera-
5 pist (as defined in subsection (uu)(2))”.

6 **SEC. 4. AUTHORIZATION OF MARRIAGE AND FAMILY**
7 **THERAPISTS TO DEVELOP DISCHARGE PLANS**
8 **FOR POST-HOSPITAL SERVICES.**

9 Section 1861(ee)(2)(G) of the Social Security Act (42
10 U.S.C. 1395x(ee)(2)(G)) is amended by striking “social
11 worker,” and inserting “social worker, marriage and fam-
12 ily therapist (as defined in subsection (uu)(2)),”.

13 **SEC. 5. EFFECTIVE DATE.**

14 The amendments made by this Act apply with respect
15 to services furnished on or after January 1, 2000.

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